

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Scott C. Harris

Group Art Unit 2611

Appl. No. : 09/669,959

Filed : September 26, 2000

For : INTERNET BROWSING FROM
A TELEVISION

Examiner : K. O. T. Bui

PRE-APPEAL BRIEF REQUEST FOR REVIEW

United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant requests review of the final rejection in the above referenced application. No amendments are being filed with this request. However, this request is being filed with a notice of repeal.

The attached request summarizes the reasons for review in five pages or less, as required.

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Claims 2-4, 6-13 and 21 stand rejected over Kamada in view of Shoff. This contention is respectfully traversed, and for reasons set forth herein, the rejection does not properly interpret the scope of the cited references, and therefore, does not meet the Patent Office's burden of providing a prima facie showing of unpatentability.

The rejection alleges that the claims are obvious based on Kamada in view of Shoff. However, with all due respect, both of these references teach displaying the Internet content on the same screen that displays any hyperlink.

Consider the basic difference between what is claimed, and the systems defined by the hypothetical combination of prior art. Claim 2, for example, defines a television remote that controls a controlled television and also accesses information from a hyperlink that is associated with the television program, and that the remote communicates with a separate computer to display the information from the hyperlink on the display of the separate computer. An inherent result of this structure is that the hyperlink from the television program has its information displayed on a computer that is separate from the display of the television. The TV watcher can watch uninterrupted TV, even though the contents of the hyperlink are being displayed. The effect is that as one is watching TV, and as one sees a hyperlink, a control on the remote allows contents of that hyperlink to be displayed on the separate computer. The watcher TV need not be "bothered" by the content of the link right then, but can view the content of the link whenever desired.

Both Kamada and Shoff display Internet content on the same screen that displays the hyperlink.

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Kamada teaches a set-top box that is used to display Internet content on the television itself. Admittedly, this Internet content can be standard Internet content. However, nowhere is there any teaching or suggestion of communicating with a separate computer based on the content of the Internet TV. The rejection alleges that a separate computer could be communicated with, however, with all due respect, nothing in Kamada says even one word about such a separate computer. Everything in Kamada is related to the concept of displaying Internet content on the television screen itself. Kamada is apparently intended to allow the user to use the TV screen, that they already have, to avoid having to purchase a computer screen.

Claim 2, in contrast, requires that the content of the hyperlink is displayed on a different computer, and one that is not displaying the TV program. The rejection states that Kamada shows basic TV browsing, and that Shoff shows the display of the separate computer, totally separate from the display of the television, referring to Figures 2 and 4, see page 4 of the Official Action. This mischaracterizes the contents of Shoff. Shoff has a first embodiment described beginning at column 4 line 14. In this embodiment, a television unit can include a hypertext file that is rendered by a browser within the television unit, and displayed on the television unit. See column 5, for example, lines 23-32. Figure 4, in contrast, is a completely separate embodiment. See column 7 lines 8-11 which explain that Figure 4 is a second implementation in which everything is done on the computer. The rejection attempts to mix the two embodiments -- Nothing in Shoff teaches anything about using the TV of Figure 2 with the computer of Figure 4. In fact, this is an improper attempt to combine the different embodiments based on the teaching of the present specification. Shoff makes it clear

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that the TV content is shown on the computer screen, see for example column 7 lines 13-15. The URLs that are displayed on the computer screen can also be used to display content associated with those URLs, see for example column 7 line 51 line 60.

Therefore, without even discussing the propriety of the combination between the references, it should be seen that no matter how the references are combined, they do not teach or suggest the content of a television being displayed on one display, and a separate computer, "totally separate from the display of the television" (quoting from claim 2) being used to display the content of the hyperlink. Both cited references only have the hyperlink displayed on the same screen as the television.

Claim 2 should hence be allowable for these reasons.

Claim 3 defines that a command causes the information to be displayed at a next start up of a process on the separate computer. This is not shown or suggested by the prior art. The cited section of Kamada teaches nothing more than link navigation on the screen. It teaches nothing about the contents of the URL being displayed on start up of the separate computer.

Claim 8 defines that the hyperlink includes an indication of a referring source. This is further unsuggested by the prior art. The rejection refers to Figure 9, which shows "CNN.com" being displayed. This is the site that has been requested, not the referring source.

Claim 11 defines a method in which an address of an Internet site is produced, used to access the Internet site, and the source is determined from that address. This is not suggested by the cited prior art, nor the claims that depend therefrom. Figure 9 shows the link, not the "source", as claimed. See above.

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Finally, claim 21 includes the limitation of sending information indicative of a hyperlink to a separate computer with a separate display, and hence should be allowable for analogous reasons to those discussed above.

Respectfully submitted,

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